

**FINDING OF NO SIGNIFICANT IMPACT
AND
DECISION RECORD**

**Environmental Assessment UT- 090-00-47
Indian Creek Corridor Plan and EA
Monticello Field Office**

Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and considering the significance criteria in 40 CFR 1508.27, I have determined that the action will not have a significant effect on the human environment. An environmental impact statement is, therefore, not required.

Decisions

It is my decision to approve the management actions for the Indian Creek Corridor as analyzed in EA UT-090-00-47 and described below. The map of the planning area covered by these decisions can be found on Page 4 of the EA.

Rock Climbing: Climbing will continue to remain open to the public. New routes and bolting will be allowed. Alteration of rock surfaces and removal of vegetation will be prohibited. The BLM will post signs at known cultural sites, where necessary, to alert climbers about restrictions.

BLM may permanently or temporarily close climbing routes that:

- Are found to be in conflict with cultural/paleontological resources.
- Are found to be in conflict with natural resources.

Trails: As needed, the BLM will evaluate and develop access trails to popular recreational sites as identified in Appendix D (page 101) of the attached EA, and in the 2002 Rocky Mountain Field Institute (RMFI) study, *Recreation Inventory and Report: Rock Climbing and Related Activities in Indian Creek Canyon, Utah*, and any appendices or updates which are made to this study. Decisions to construct relocated trails will consider recreational needs as well as needs for the protection of natural and cultural resources. Maintenance of existing trails is allowed. New trails, not identified in Appendix D or in the RMFI study will require NEPA analysis. The development of any trail will be subject to cultural, paleontological inventory, consultation, and biological clearance surveys. Generally, these clearances do not take place until after the on-site flagging of the specific trail is agreed upon. As new trail projects are approved, unnecessary social trails will be eliminated and rehabilitated. The BLM will use materials consistent with the natural environment in all construction and maintenance. The BLM will consult with The Nature Conservancy and Dugout Ranch, and obtain approval, prior to the construction of any trail on the Dugout Ranch Property.

Parking: Designated parking areas have been identified and will be developed according to the Indian Creek Corridor Parking Plan, Appendix A, to meet current and future parking demands. The actual location of the proposed designated parking areas will depend on the findings of cadastral, biological, and cultural surveys. In areas where safety concerns arise, parking along the

shoulder of Highway 211 could be closed or moved. Signs will be posted in these areas. The BLM will work closely with the Utah Department of Transportation to design and develop transportation betterment projects along Highway 211.

Undesignated Dispersed Camping: BLM may close undesignated dispersed campsites if future user or resource conflicts warrant.

Designated Camping Zones: Approximately 266 acres in the planning area will be restricted to designated camping: Bridger Jack Mesa, Creek Pasture, Hamburger Rock Campground, Shay Mountain Vista Campground and the Cat Wall access road. Camping will be limited in these areas to designated sites, when provided, as outlined in Map # 1 attached to this FONSI. The BLM will post the boundaries of the designated areas.

Camping Area Closures: In order to make the designated camping sites more manageable and effective in limiting impacts and user conflicts, BLM will close approx. 3,555 acres around these areas, see Map # 2. BLM will post the boundaries of the closed areas. The designated camping zones and camping area closures are being implemented to reduce the number of conflicts for the private land owners as well as slowing the spread of impacts from campers in the most popular areas of the corridor

Sanitation and Garbage: A two year trial period pack-in/pack-out policy would be enforced for all areas in the Corridor now without restrooms and garbage receptacles. If problems with human waste persist or increase, portable toilets would be required or restrooms would be installed in the problem areas.

The following standards would be applied and enforced during the two-year trial period:

- Adherence to the Leave No Trace standards is required.
- Provision and use of bag system or portable toilet is required.
- Use of cat holes is prohibited.
- Leaving or burying toilet paper is prohibited.
- Packing out all trash and garbage is required.
- Screening or filtering of grey water is required before dumping.

The BLM will be responsible for educating the public on the above standards, enforcing the pack-in/pack-out policy, and determining the effectiveness of the policy. This may be accomplished by creating a new BLM climbing ranger position, or with assistance from others such as independent inspectors, academic field interns, or other partners. The BLM has identified the following benchmarks and monitoring measures to determine the level of compliance and effectiveness of the pack-in/pack-out policy:

- The BLM would conduct regular site visits to educate the public and enforce the pack-in/pack-out policy.
- The pack-in/pack-out policy would be determined to be working if regular inspections find that:
 - People have toilets or bags, and seem to be using them;
 - Toilet paper and/or evidence of human waste is not found in camping areas; and
 - Used toilet bags are not found in the area.

The pack-in/pack-out policy would remain in place as long as:
The public thinks that it is working; and
The BLM thinks that it is working.

Quantitative criteria for assessing the effectiveness of the pack-in/pack-out policy and the Indian Creek visitors' compliance include:

- Number of users in violation of the policy
- Number of users in compliance with the policy
- Number of inspections conducted
- Water quality level (decline, improvement, maintain same level)
- Number of bags used (if provided by BLM or other group)

A total of two years will be used to assess and monitor the effectiveness of the carry out policy. At the six-month point of the trial period, the policy will be assessed and appropriate changes will be made to increase the policy's effectiveness and visitors' level of compliance.

At the end of the first year of the two-year trial period, the BLM will review the policy and monitoring methods, and make appropriate changes to further increase the policy's effectiveness and the visitors' level of compliance.

After a year and one half of implementing the carry out policy, if the BLM determines that the policy is not effective and decides to implement a change in management (installation of toilets and charging fees), the public will be given adequate notice. Following such notice, there will be a six-month grace period for visitors to modify their actions, and for visitors and BLM to suggest alternative measures to ensure compliance with the pack-in/pack-out policy.

Long-term monitoring of the level of compliance and effectiveness of the pack-in/pack-out policy is essential

During the first two years, visitors not abiding by the pack-in/pack-out policy will be warned and BLM's efforts will concentrate on education and partnerships with climbing groups to bring about compliance by the end of the two years. After this time, visitors to the area not abiding by the pack-in/pack-out policy will be cited and fined, or if necessary, toilets could be installed and fees charged.

Fires and wood gathering: The current RMP revision has considered a range of alternatives for firewood gathering. However, this is not an issue that warrants an "emergency closure" since most of the campers in this area supply their own wood. Campers will be encouraged to use 'Leave No Trace' standards and to remove their ashes.

Pets: Dogs and other pets will continue to be allowed within the Corridor. If dogs become a nuisance to other users, or harass livestock or wildlife, they must be leashed. Dog waste must be buried or disposed of properly. BLM will provide information at kiosks about properly controlling pets, and avoiding conflicts with livestock, wildlife, and other public land users.

As time and money permit, the BLM will expand education and outreach efforts in the Indian Creek Corridor. Information kiosks, signs, and brochures will provide the public with information which may include:

- Pack-in/Pack-out Policy and proper human waste disposal
- 'Leave No Trace' practices
- Protection of cultural/paleontological resources
- Protection of natural resources
- OHV etiquette
- Camping etiquette
- Climbing etiquette
- Respect for private and public property
- Control of invasive and noxious weeds
- Pets
- Fire safety
- Purpose and use of user fees

These educational materials would be placed at various locations which may include:

- Newspaper Rock picnic area
- Parking areas
- Designated campgrounds
- San Juan County Visitors Center
- Canyonlands National Park Visitor Center
- Along Highway 211
- Monticello and Moab BLM Field Offices
- Local rock climbing shops in Moab, Telluride, and Durango

Materials will also be provided to the Friends of Indian Creek group for distribution among users of the Corridor.

Fees: Fees would be charged according to the level of service provided at each site. In areas where the trial pack-in/pack-out policy for human waste is implemented, no fees would be charged. If it is determined that the trial policy is not working, fees could be charged to cover the installation and maintenance cost of toilets.

In areas where more developed facilities and services are provided, fees could be charged. These areas include Hamburger Rock Campground and Shay Mountain Vista Campground.

More specific management criteria are outlined in the EA for the following areas. For more details refer to the EA on pages 36-41 and the individual area site plans in Appendix A. of the EA.

Shay Mountain Vista Campground: This new designated campground will be constructed as outlined in the site plan in Appendix A. of the EA.

Newspaper Rock: Due to flood danger the currently designated campground will be removed. Dispersed camping would be prohibited in this area when the revised Federal Register Notice is published. A picnic area will be developed on the East side of Highway 211 as outlined in the Newspaper Rock Site Plan, Appendix A of the EA.

Bridger Jack Mesa: This area is a very popular camping area with the climbers and impacts are spreading. Camping in this area will be restricted to designated sites and developed according to the Bridger Jack Mesa Designated Dispersed Camping Area Site Plan, Appendix A of the EA as amended by Map # 3 and Photo # 1 attached. Camping in this area was a subject of controversy between the Nature Conservancy, the Dugout Ranch former owner and current permit holder and the climbing community as represented by The Access Fund. The campsites closest to the North Cottonwood Road are visible from the Dugout Ranch. The BLM agrees to protect the visual landscape as viewed from the ranch. The BLM will not designate approximately 9 to 11 campsites currently being used that are the most visible from the ranch. The majority of the existing Bridger Jack Mesa Bench campsites will be designated as shown on Map # 3.

Donnelly Canyon: This area will be developed according to the Donnelly Canyon Recreation Area site plan in Appendix A of the EA. Adequate parking and restroom facilities are the primary needs for this area.

Creek Pasture: This area will become a designated camping area and would be developed according to the Creek Pasture Designated Site Plan (See EA Appendix A and Map # 2 of this FONSI).

Hamburger Rock: This area is currently a designated fee site campground. It will be improved as necessary according to the Hamburger Rock Campground Site Plan, Appendix A of the EA.

Indian Creek Falls: The three developed campsites in this area are in conflict with cultural sites. They will be removed upon completion of the revised closure notice. If previously disturbed campsites in this area can be found that do not conflict with cultural sites, the BLM may develop these campsites. The existing restroom and educational kiosk at this site would be maintained unless found to be in conflict with cultural resources. Fees could be charged for camping in these developed sites. Dispersed camp sites would be closed if found to be in conflict with cultural resources. Dispersed camping here would not be encouraged. This plan recommends that options for developing a management agreement with the State Institutional Trust Lands Association be addressed in the current San Juan RMP revision effort. Such an agreement would be helpful since a large part of this area lies within State ownership.

The Federal Register notice of January 2, 1998 will be updated with the following:

- A. Motor vehicles and mountain bike travel is restricted to existing roads and trails.
- B. The established Newspaper Rock Campground will be closed due to flood danger. This also includes a closure to dispersed camping in this flood danger area.

Rationale

The proposed action and combined revision of the Federal Register Notice balances the needs of the visitors, the private landholders and the BLM's mandates for multiple use and to protect the natural resources. It allows the continued use of the area by all of its various users, and implements management strategies in the most popular areas to limit the impacts to resources and reduce user conflicts.

The Indian Creek Corridor is part of the larger Canyon Basins Special Recreation Management Area. (SRMA). The Corridor is world famous for it's sandstone crack climbs and the scenic beauty leading to Canyonlands National Park. Climbers, Backpackers, OHV users, cultural history buffs and sightseers all want to recreate in this area. In order to balance these uses, in 1991 the San Juan Resource Area RMP identified the SRMA and stated an activity level management plan would be written. Since that time the BLM has realized that the Indian Creek Corridor needs it's own Recreational Management Plan and this EA is an effort to complete that.

The majority of the proposed action is an implementation of the management directions prescribed in the existing March 1991 San Juan Resource Area (Monticello Field Office) Resource Management Plan and would require no change or modification to this RMP. The RMP states on page 78:

“Dispersed recreation use would be allowed throughout the San Juan Resource Area, with permits required for commercial use. ... If demand increases, BLM may require permits for use in other areas where needed to protect resource values; this would not require a plan amendment.”

Recreation is an acceptable use of public land. The first goal of The BLM's Priorities for Recreation and Visitor Services BLM work Plan 2003-2007 states on page 1:

“Improve access to appropriate recreation opportunities on Department of the Interior (DOI) managed or partnered lands and waters.”

The majority of land in San Juan County is under Federal ownership. These lands are important to recreationists, and constitute an important element of the local economy.

The proposed action is in conformance with The Federal Land Policy and Management Act of 1976 (FLPMA), which contains the BLM's general land use management authority over public lands, and establishes outdoor recreation as one of the principal uses of those lands (43 U.S.C. 1701 (a) (8)).

The proposed action and action alternatives are consistent with the San Juan County Master Plan (page 29, July 8, 1996. (Appendix C)

“The county views recreation and tourism as an additional economic opportunity. The County believes this opportunity may only be in its infant stage. The County will continue...promoting the County's tourist industry.”

Public Involvement: Initial planning for this document started in the early 1990s. Stakeholder groups, various meetings, newspaper articles, and personal interviews have all been used during this time to enhance the public's knowledge about the Corridor. As described in section 1.5 of the corresponding EA, scoping showed an increased interest in the Indian Creek area. In 2003, the BLM agreed to let the Nature Conservancy (TNC) contract a third party consultant to work on the Indian Creek Corridor Plan which has resulted in this EA.

In July 2003, the consultant and the BLM started another round of public involvement and notification which led to 32 written comments. In an effort to reach more of the public and gain further comments, another public notice was sent out on September 30, 2003 giving the public 30 days to comment. A total of 330 comments were received prior to the deadline of October 24, 2003. Other comments have continued to come in since that time. In general the comments all recognized that the Indian Creek Corridor is a special place and indicated that the respondents recognized the need for the BLM to manage the corridor to preserve the general character and to protect the resources while allowing a range of camping and visitor experiences. Many comments suggested changes in OHV management, which is beyond the of the scope of this document.

Individual interviews were conducted by the contractor and the BLM with the National Park Service, United States Geological Survey, Manti La Sal National Forest, Utah Department of Transportation, Dugout Ranch, The Access Fund, The San Juan County Commission. Records of these meetings are in the administrative record for the EA.

A few of the commentors, including The Nature Conservancy and one USGS soils scientist, felt the BLM should limit all camping to designated sites in the entire corridor. Many others strongly opposed this change. After carefully evaluating this issue the BLM feels that having a range of camping experiences is an appropriate management decision at this time and more in keeping with the public expectations when they visit BLM lands.

The planning area is approximately 100,000 acres. To prevent resource degradation and meet the expectations and needs of the users and stakeholders, the BLM plans on closing approximately 3,555 acres to camping and limiting camping to designated sites in approximately 266 acres. Evaluating the proposal of limiting all camping to designated sites in the corridor is currently being considered in the ongoing San Juan RMP amendment. Thus, it was felt that there would not be an irretrievable commitment of resources in allowing dispersed camping to occur outside of restricted areas as illustrated on Map # 2.

Many of the users in this area are returning visitors. Signs, maps and word of mouth will quickly inform the public what the change in expectations are. The Access Fund and several climbing manufacturing companies have volunteered to publish a new brochure and map showing the decisions that have been made in this document. The brochure will be available in several locations throughout the Corridor as well as at NPS visitor centers, climbing shops, and the Monticello Field Office headquarters.

Tribal concerns were built into the proposed action and into the monitoring. The Hopi Tribe in a letter dated August 24, 2004, stated, "We support the positive direct and indirect effects of Alternative B – the Preferred Alternative and, therefore, we support Alternative B in this Environmental Assessment".

A complete list of Native American tribes and other agencies consulted is included in Section 5.2 on page 88 of the EA.

Level III cultural surveys have already been completed in the following areas: Newspaper Rock Area, Hamburger Rock, Creek Pasture, and Bridger Jack Mesa. The Preferred Alternative would have a positive impact on cultural resources by providing more control over visitation to selected cultural sites. In particular, removing rock climbing routes impacting rock art and removing camping from Indian Creek Falls would help protect cultural resources. Additionally, trail construction, by limiting multiple trailing, would minimize impacts to cultural and paleontological resources

In a letter dated August 16, 2004, the Utah State Historic Preservations Officer agreed with the BLM opinion that the proposed action would not adversely effect cultural resources.

In a letter dated August 24, 2004 US Fish and Wildlife Service concurred with the BLM opinion "Likely to not adversely affect T&E species".

Monitoring and Mitigation

Monitoring and mitigation have been built into the proposed action. As described earlier, a two year monitoring period is built in to determine the effectiveness of the pack-it out waste management policy in the designated and dispersed camping areas. The BLM is also currently revising its Resource Management Plan. The Draft RMP EIS includes decisions being made about the Corridor, should be available to the public in June of 2006. If, during the planning process, the public or the BLM feels that changes should be made to the management of the Corridor, those changes can be built into the RMP. In the meantime, management under this EA and revised closure notice will allow the BLM to proactively manage the corridor until the RMP is completed.

Appeals

This decision is effective October 21, 2005 as it is signed by the authorized officer. Per 43 CFR 2931.8(b) "All decisions BLM makes under this part will go into effect immediately and will remain in effect while appeals are pending unless a stay is granted under 43 CFR 4.21(b)" Within 30 days of receipt of the decision, an appeal must be filed to: Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203. A copy of the notice of appeal must also be filed in the Monticello Field Office, Box 7, Monticello Utah, 84535. as well as with: Office of the Solicitor, 125 S. State Street, Suite 6201, Salt Lake City, Utah, 84138. The appellant has the burden of showing that the decision appealed is in error. See attached form 1842-1 Information on Taking Appeals to the Board of Land Appeals.

If you wish to file a petition for stay pursuant to 43 CFR 3150.2(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of irreparable harm to the appellant or resources if the stay is not granted,
and
- (4) Whether the public interest favors granting the stay.

Sandra A. Meyers
Monticello Field Office Manager

Date

Attachments:

Maps:

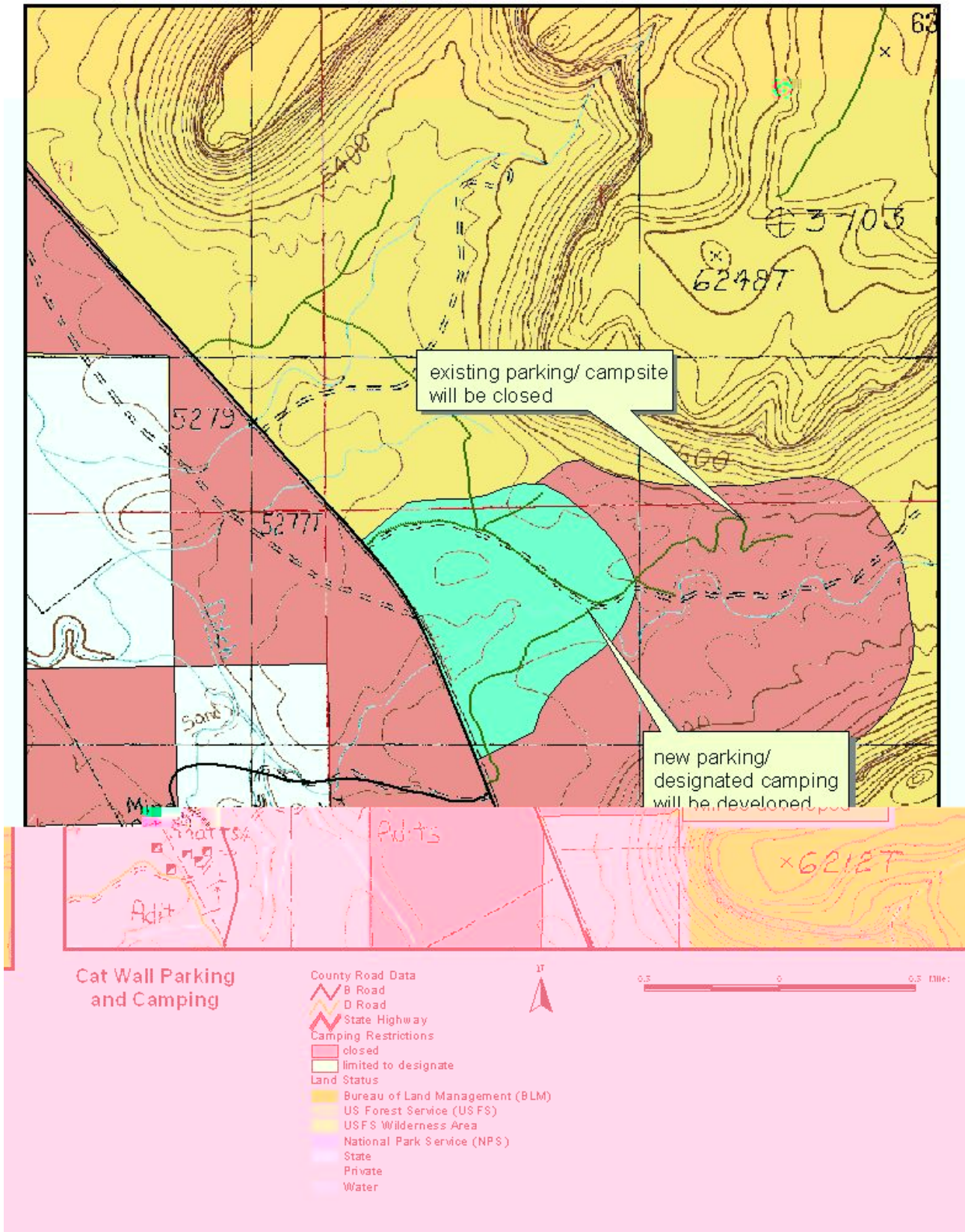
- Map # 1. Cat Wall Parking and Camping
- Map # 2. Camping Restrictions
- Map # 3. Bridger Jack Mesa Designated Camping

Photos:

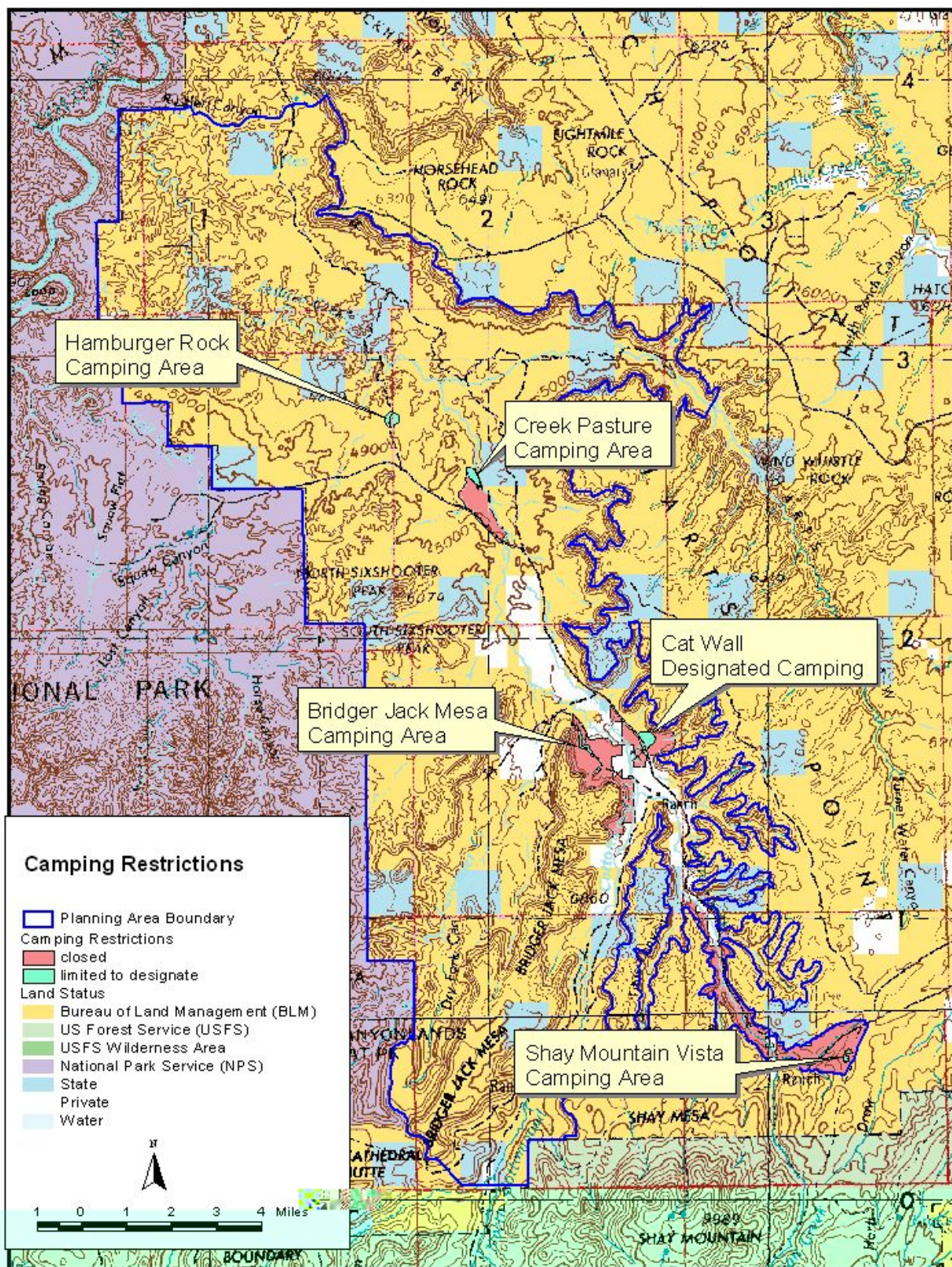
- Photo # 1. Bridger Jack Mesa Designated Camping

Others:

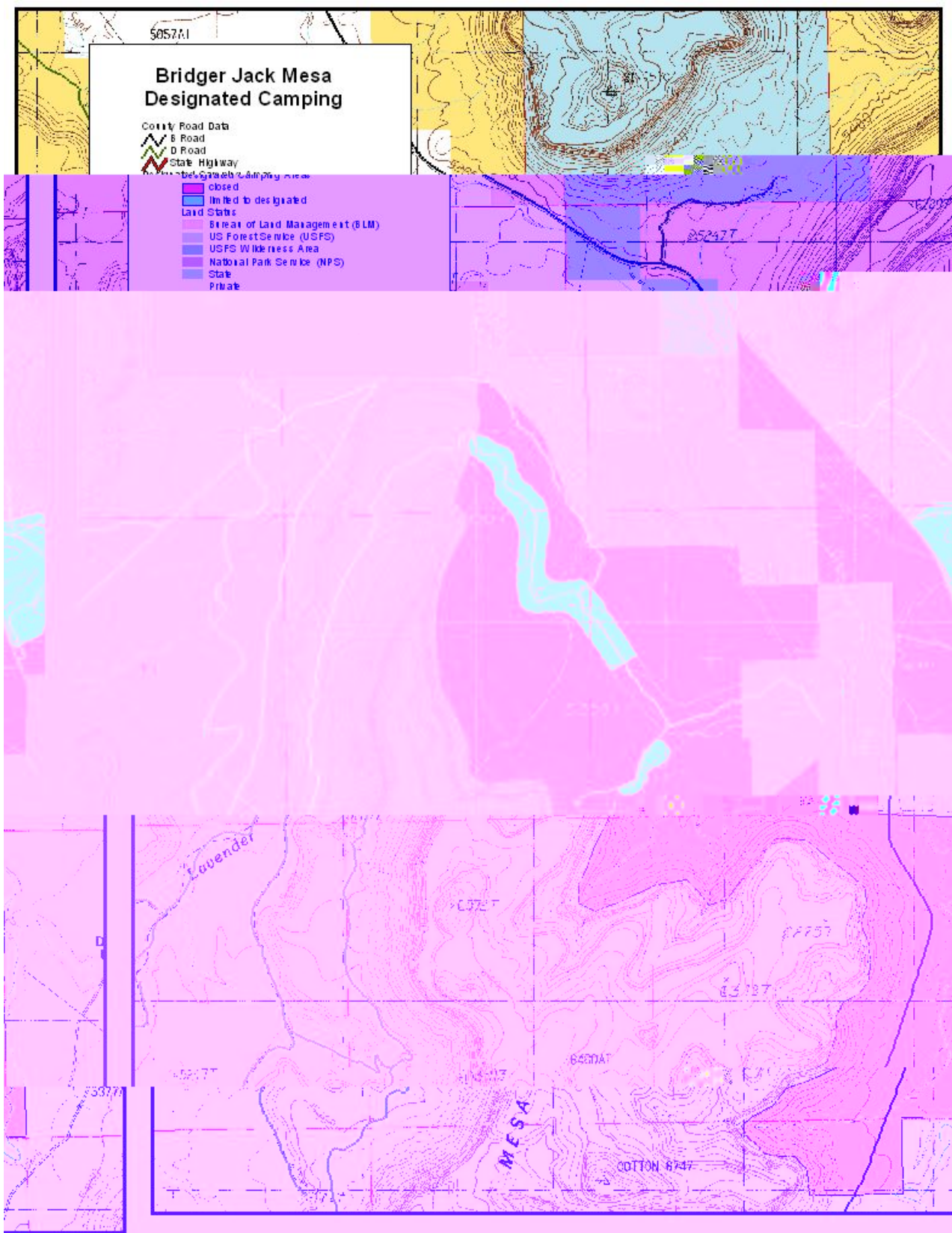
- Form 1842-1 Information on taking appeals to the Board of Land Appeals



Map #1.



Map #2.



Map # 3

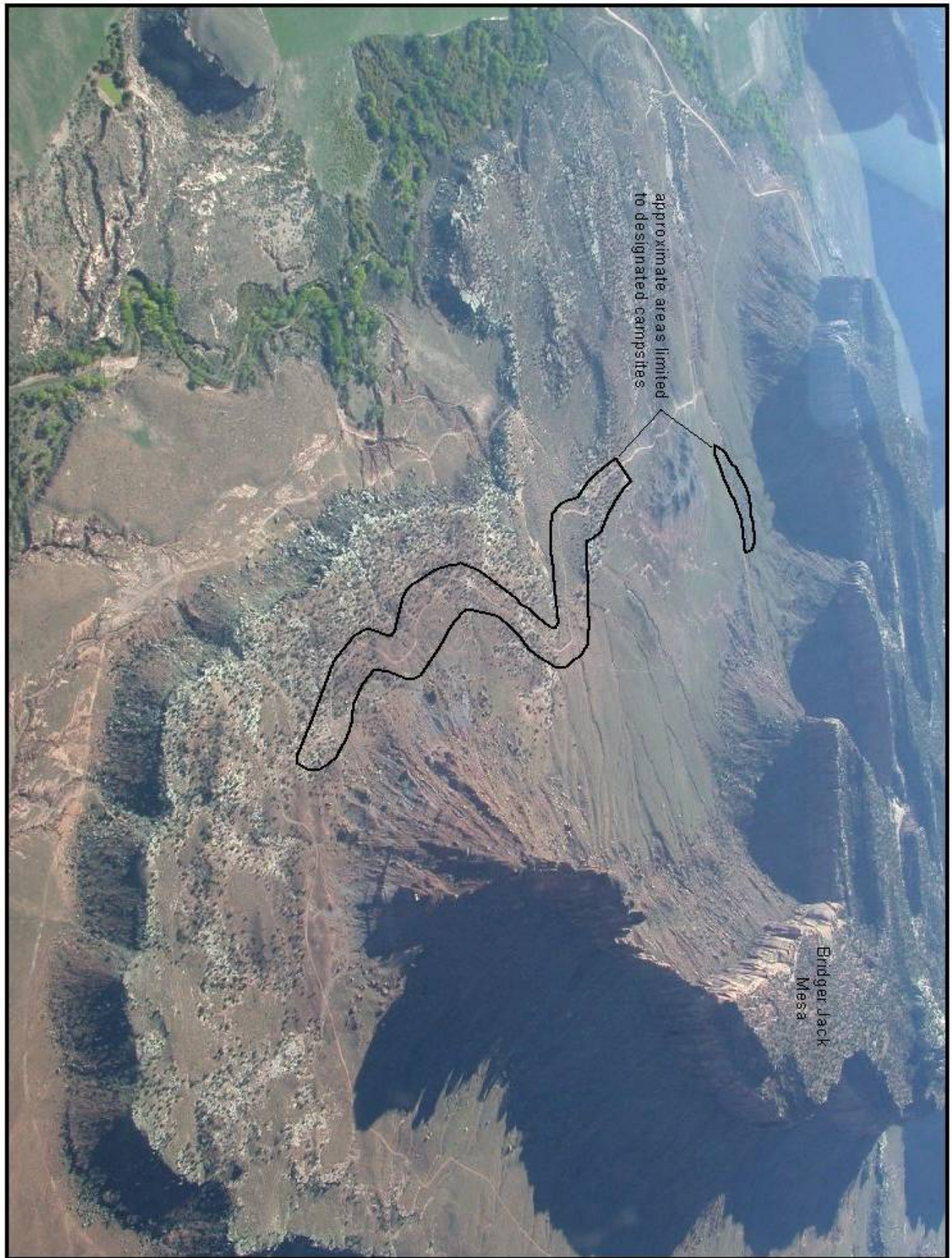


Photo # 1. Aerial View of Bridger Jack Mesa